

In the Claims

Please amend claims 75, 83, 85-86, 91, 95, 96, 106, 109, 116, 118, 119, 124 and 127-128 and add new claims 146-152, as shown below. Please cancel claims 76, 80, 82, 97, 110, 113 and 132. Claims 1-74 were previously canceled.

Claims 1-74 (Canceled)

75. (Currently Amended) A shoe arranged and designed to support an ankle of a foot, the shoe comprising:

a sole inliner configured for a sole of the foot, the sole inliner being flexible generally across the arch of the foot;
~~a coupling;~~
a back inliner coupled to the sole inliner ~~with the coupling~~, wherein
the back inliner is configured for a back of the foot without projecting forward of the ankle, and wherein the back inliner, ~~coupling~~ and sole inliner do not extend over the ankle of the foot; and
an upper coupled to both the sole inliner and the back inliner, wherein
the upper adjustably secures the sole inliner and back inliner to the foot, and wherein
the upper, the sole inliner, ~~the coupling~~, and the back inliner are operable to resist lateral movement of the ankle; and wherein
the shoe is configured for direct contact and non-binding engagement with the ground or other support surface.

76. (Canceled)

77 78. (Previously Presented) The shoe of claim 75, wherein the upper further comprises a top upper member and a bottom upper member.

~~79.~~ (Previously Presented) The shoe of claim 75, wherein the upper further comprises:

a flexible member, which facilitates an initial engagement of the upper to the foot.

~~79~~ ~~80.~~ (Canceled)

~~80~~ ~~81.~~ (Previously Presented) The shoe of claim 75, wherein the upper further comprises a top upper member and a bottom upper member, and the top upper member and bottom upper member independently provide engagement of the upper to the foot.

~~81~~ ~~82.~~ (Canceled)

~~82~~ ~~83.~~ (Currently Amended) The shoe of claim 75, further comprising a cover which surrounds the upper, the sole inliner, ~~the coupling~~, and the back inliner.

~~83~~ ~~84.~~ (Previously Presented) The shoe of claim ~~83~~, wherein the upper further comprises a flexible member and a top upper member and a bottom upper member, the flexible member provides an initial engagement of the upper to the foot, and the top upper member and bottom upper member independently provide further engagement of the upper to the foot.

~~84~~ ~~85.~~ (Currently Amended) The shoe of claim ~~84~~, wherein 75, further comprising:
~~the top upper member and bottom upper member are adapted to receive laces,~~
~~the flexible member includes a neoprene material, and~~
~~the coupling between the sole inliner and the back inliner includes a biasing~~
~~member~~
~~the biasing member for providing a biasing force between the sole inliner and back~~
~~inliner.~~

85 86. (Currently Amended) The shoe of claim 75, wherein ~~the a coupling is provided~~ between the sole inliner and the back inliner that includes a biasing member.

86 87. (Previously Presented) The shoe of claim ~~85~~, wherein the biasing member causes a bias towards one of an obtuse angle or acute angle between the sole inliner and the back inliner.

87 88. (Previously Presented) The shoe of claim ~~86~~, wherein the biasing member includes at least one torsion spring.

88 89. (Previously Presented) The shoe of claim 75, wherein the shoe is provided with cleats or spikes.

89 90. (Previously Presented) The shoe of claim 75, wherein the shoe has a generally flat non-cleated or non-spiked sole.

90 91. (Currently Amended) The shoe of claim 75, wherein the sole inliner, and back inliner ~~and coupling~~ are integrated as one piece.

91 92. (Previously Presented) The shoe of claim 75, wherein the back inliner extends at least one inch up the back of the foot.

92 93. (Previously Presented) The shoe of claim 75, wherein the back inliner extends at least four inches up the back of the foot.

93 94. (Previously Presented) The shoe of claim 75, wherein the back inliner is movable relative to the sole inliner to permit at least one of dorsiflexion and plantar flexion movement in the foot.

94 95. (Currently Amended) The shoe of claim *94*, wherein the relative movability of the back inliner and sole inliner is facilitated by the flexibility of materials of at least one of the ~~coupling~~, back inliner and sole inliner. *93*

95 96. (Currently Amended) A shoe arranged and designed to support an ankle of a foot, the shoe comprising:

 a sole inliner configured for a sole of the foot, the sole inliner being flexible generally across the arch of the foot;

 a ~~coupling~~;

 a back inliner non-movably coupled to the sole inliner ~~with the coupling~~, wherein the back inliner is configured for a back of the foot without projecting forward of the ankle, and wherein the back inliner, ~~coupling~~ and sole inliner do not extend over the ankle and sides of the foot; and

 an upper coupled to both the sole inliner and the back inliner, wherein the upper adjustably secures the sole inliner and back inliner to the foot, and wherein

 the upper, the sole inliner, ~~the coupling~~, and the back inliner are operable to resist lateral movement of the ankle; and wherein

 the shoe is configured for direct contact and non-binding engagement with the ground or other support surface.

96 97. (Canceled)

97 98. (Previously Presented) The shoe of claim *96*, wherein the upper further comprises a top upper member and a bottom upper member. *95*

98 99. (Previously Presented) The shoe of claim *98*, wherein the upper further comprises:

 a flexible member, which facilitates an initial engagement of the upper to the foot.

99 100. (Previously Presented) The shoe of claim 96, wherein
the upper further comprises a top upper member and a bottom upper member, and
the top upper member and bottom upper member independently provide
engagement of the upper to the foot.

100 101. (Previously Presented) The shoe of claim 100, wherein the top upper member and
bottom upper member are adapted to receive laces.

101 102. (Previously Presented) The shoe of claim 96, further comprising a cover which
surrounds the upper, the sole inliner, ~~the coupling~~, and the back inliner.

102 103. (Previously Presented) The shoe of claim 102, wherein
the upper further comprises a flexible member and a top upper member and a
bottom upper member,
the flexible member provides an initial engagement of the upper to the foot, and
the top upper member and bottom upper member independently provide further
engagement of the upper to the foot.

103 104. (Previously Presented) The shoe of claim 96, wherein the shoe is provided with
cleats or spikes.

104 105. (Previously Presented) The shoe of claim 96, wherein the shoe has a generally
flat non-cleated or non-spiked sole.

105 106. (Currently Amended) The shoe of claim 96, wherein the sole inliner, and back
inliner ~~and coupling~~ are integrated as one piece.

106 107. (Previously Presented) The shoe of claim 96, wherein the back inliner extends at
least one inch up the back of the foot.

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107 108. (Previously Presented) The shoe of claim 96, wherein the back inliner extends at least four inches up the back of the foot.

108 109. (Currently Amended) A shoe arranged and designed to support an ankle of a foot, the shoe comprising:

a sole inliner configured for a sole of the foot, the sole inliner being flexible generally across the arch of the foot;

~~a coupling;~~

a back inliner coupled to the sole inliner, ~~with the coupling~~ the back inliner being movable relative to the sole inliner to permit at least one of dorsiflexion and plantar flexion movement in the foot without projecting forward of the ankle, wherein the relative movability of the back inliner and sole inliner are facilitated by the flexibility of materials of at least one of ~~the coupling~~, the back inliner and sole inliner; wherein

the back inliner is configured for a back of the foot, and wherein the back inliner, ~~coupling~~ and sole inliner do not extend over the ankle and sides of the foot and without cupping of the heel to hold the heel in a fixed position; and

an upper coupled to both the sole inliner and the back inliner, wherein

the upper adjustably secures the sole inliner and back inliner to the foot, and wherein

the upper, the sole inliner, ~~the coupling~~, and the back inliner are operable to resist lateral movement of the ankle; and wherein

the shoe is configured for direct contact and non-binding engagement with the ground or other support surface.

109 110. (Canceled)

110 111. (Previously Presented) The shoe of claim 109, wherein the upper further comprises a top upper member and a bottom upper member.

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111 112. (Previously Presented) The shoe of claim 109, wherein the upper further comprises:
a flexible member, which facilitates an initial engagement of the upper to the foot.

112 113. (Canceled)

113 114. (Previously Presented) The shoe of claim 109, wherein
the upper further comprises a top upper member and a bottom upper member, and
the top upper member and bottom upper member independently provide
engagement of the upper to the foot.

114 115. (Previously Presented) The shoe of claim 114, wherein the top upper member and
bottom upper member are adapted to receive laces.

115 116. (Currently Amended) The shoe of claim 109, further comprising a cover which
surrounds the upper, the sole inliner, ~~the coupling~~, and the back inliner.

116 117. (Previously Presented) The shoe of claim 116, wherein
the upper further comprises a flexible member and a top upper member and a
bottom upper member,
the flexible member provides an initial engagement of the upper to the foot, and
the top upper member and bottom upper member independently provide further
engagement of the upper to the foot.

117 118. (Currently Amended) The shoe of claim 117, wherein 109, further comprising:
~~the top upper member and bottom upper member are adapted to receive laces,~~
~~the flexible member includes a neoprene material, and~~
~~the coupling between the sole inliner and the back inliner includes a biasing~~
~~member a biasing member for providing a biasing force between the sole inliner~~
~~and back inliner.~~

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118 119. (Currently Amended) The shoe of claim 109, wherein the a coupling is provided between the sole inliner and the back inliner that includes a biasing member.

119 120. (Previously Presented) The shoe of claim 119, wherein the biasing member causes a bias towards one of an obtuse or an acute angle between the sole inliner and the back inliner.

120 121. (Previously Presented) The shoe of claim 119, wherein the biasing member includes at least one torsion spring.

121 122. (Previously Presented) The shoe of claim 109, wherein the shoe is provided with cleats or spikes.

122 123. (Previously Presented) The shoe of claim 109, wherein the shoe has a generally flat non-cleated or non-spiked sole.

123 124. (Currently Amended) The shoe of claim 109, wherein the sole inliner, and back inliner and coupling are integrated as one piece.

124 125. (Previously Presented) The shoe of claim 109, wherein the back inliner extends at least one inch up the back of the foot.

125 126. (Previously Presented) The shoe of claim 109, wherein the back inliner extends at least four inches up the back of the foot.

126 127. (Currently Amended) The shoe of claim 109, wherein the coupling is located the relative movability of the back inliner and sole inliner occurs at a position below the ankle of the foot.

127 128. (Currently Amended) A shoe arranged and designed to support an ankle of a foot, the shoe comprising:

 a sole inliner configured for a sole of the foot, the sole inliner being flexible generally across the arch of the foot;

 a coupling;

 a back inliner movably coupled to the sole inliner with the coupling, the movable coupling being located at a position below the ankle of the foot, wherein

 the back inliner is configured for a back of the foot without projecting forward of the ankle, and wherein the back inliner, coupling and sole inliner do not extend over the ankle and sides of the foot; and

 an upper coupled to both the sole inliner and the back inliner, wherein

 the upper adjustably secures the sole inliner and back inliner to the foot, and wherein

 the upper, the sole inliner, the coupling, and the back inliner are operable to resist lateral movement of the ankle; and wherein

 the shoe is configured for direct contact and non-binding engagement with the ground or other support surface.

128 129. (Previously Presented) The shoe of claim 128, wherein the coupling is positioned adjacent to a heel of the foot.

129 130. (Previously Presented) The shoe of claim 128, wherein the upper further comprises a top upper member and a bottom upper member.

130 131. (Previously Presented) The shoe of claim 128, wherein the upper further comprises:

 a flexible member, which facilitates an initial engagement of the upper to the foot.

131 132. (Canceled)

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132 133. (Previously Presented) The shoe of claim 128, wherein
the upper further comprises a top upper member and a bottom upper member, and
the top upper member and bottom upper member independently provide
engagement of the upper to the foot.

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133 134. (Previously Presented) The shoe of claim 133, wherein the top upper member and
bottom upper member are adapted to receive laces.

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134 135. (Previously Presented) The shoe of claim 128, further comprising a cover which
surrounds the upper, the sole inliner, the coupling, and the back inliner.

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135 136. (Previously Presented) The shoe of claim 135, wherein:
the upper further comprises a flexible member and a top upper member and a
bottom upper member,
the flexible member provides an initial engagement of the upper to the foot, and
the top upper member and bottom upper member independently provide further
engagement of the upper to the foot.

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136 137. (Previously Presented) The shoe of claim 136, wherein
the top upper member and bottom upper member are adapted to receive laces,
the flexible member includes a neoprene material, and
the coupling between the sole inliner and the back inliner includes a biasing
member.

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137 138. (Previously Presented) The shoe of claim 128, wherein the coupling between the
sole inliner and the back inliner includes a biasing member.

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138 139. (Previously Presented) The shoe of claim 138, wherein the biasing member
causes a bias towards one of an obtuse angle or an acute angle between the sole inliner
and the back inliner.

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140. (Previously Presented) The shoe of claim 138, wherein the biasing member includes at least one torsion spring. 137

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141. (Previously Presented) The shoe of claim 128, wherein the shoe is provided with cleats or spikes. 127

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142. (Previously Presented) The shoe of claim 128, wherein the shoe has a generally flat non-cleated or non-spiked sole. 127

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143. (Previously Presented) The shoe of claim 128, wherein the sole inliner, back inliner and coupling are integrated as one piece. 127

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144. (Previously Presented) The shoe of claim 128, wherein the back inliner extends at least one inch up the back of the foot. 127

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145. (Previously Presented) The shoe of claim 128, wherein the relative movability of the back inliner and sole inliner is facilitated by the flexibility of materials of at least one of the coupling, back inliner and sole inliner. 127

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146. (New) The shoe of claim 75, wherein: 75

the back inliner and the sole inliner do not extend over the sides of the foot.

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147. (New) The shoe of claim 96, wherein: 95

the back inliner and the sole inliner do not extend over the sides of the foot.

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148. (New) The shoe of claim 109, wherein: 108

the back inliner and the sole inliner do not extend over the sides of the foot.

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149. (New) The shoe of claim 128, wherein: 127

the back inliner and the sole inliner do not extend over the sides of the foot.

149 150. (New) The shoe of claim 94, wherein:

the relative movability of the back inliner and sole inliner is facilitated by a hinge.

150 151. (New) The shoe of claim 109, wherein:

the relative movability of the back inliner and sole inliner is facilitated by a hinge.

151 152. (New) The shoe of claim 128, wherein:

the relative movability of the back inliner and sole inliner is facilitated by a hinge.

MDR rule 1.126